

FACTS ABOUT WORKERS COMPENSATION

- Injured workers must report an injury to their employer within 10 days or 75 days if there is just cause for failure to report within 10 days.
- A written claim must be filed within 200 days of the accident or last date benefits are paid.
- Most employers that have an annual estimated payroll of more than \$20,000 are required to have workers compensation insurance.
- Employers must file accident reports with the Division within 28 days of being notified of an accident.
- An accident must be reported if an employee is wholly or partially incapacitated for more than the remainder of the day, shift or turn on which the injury was sustained.
- Employers must give an Informational Sheet (K-WC 27/270) to every employee who reports an on the job injury.
- Employers are responsible for providing reasonable medical treatment.
- Employers have the right to select the treating physician.
- A worker may seek the services of an unauthorized doctor up to a limit of \$500.
- Injured workers may receive 66.67 percent of their gross average weekly wages, not to exceed the maximum of 75 percent of the state's average weekly wage.

DIVISION OF WORKERS COMPENSATION
KANSAS DEPARTMENT OF LABOR
800 SW JACKSON, STE 600
TOPEKA KS 66612-1227

296-41

RETURN SERVICE REQUESTED

Workers Compensation

Ombudsman/Claims Advisory Services



**Protecting
employee and employer
rights under the
Workers
Compensation
Act**

OMBUDSMAN SERVICES WITHIN THE WORKERS COMPENSATION SYSTEM

The Kansas Division of Workers Compensation established a Claimant Advisory Section in 1978. In 1993 the Legislature followed a national trend and, by statute, created the Ombudsman Program. The workers compensation reform legislation of 1993 mandated an expanded role for the Claims Advisory Section, to enable a more proactive approach to assisting all parties in understanding their rights and responsibilities under the Workers Compensation Act.

OMBUDSMAN

The Division of Workers Compensation employs full-time personnel who specialize in aiding injured workers, employers and insurance professionals with claims information and problems arising from job related injuries and illnesses. The ombudsman acts in an impartial manner and is available to provide the parties with general information about the current issues within the workers compensation system. For example, the ombudsman has current information on legislative changes, or changes due to decisions made by the Workers Compensation Board or the courts. The Ombudsman Section also can assist with specific issues on current workers compensation claims.



ASSISTING INJURED WORKERS

- Providing General Information
- Obtaining Medical Treatment
- Benefits Not Being Paid or Not Being Paid on a Timely Basis
- Unpaid Medical Benefits
- Calculations of Benefits
- Timely Notification of Employer
- Timely Submission of Written Claims
- Procedures for Filing for a Hearing
- Obtaining Survivors' Benefits
- Informal Dispute Resolution
- Mediation Assistance
- Interpretation for Spanish Speaking Workers

ASSISTING EMPLOYERS/INSURANCE COMPANIES

- Providing General Information
- Posting Workers Compensation Notice (K-WC 40)
- Providing Required Information to Injured Workers (K-WC 27/270)
- Timely Submission of Accident Reports
- Timely and Appropriate Payment of Medical Services
- Election Information
- Assistance With Death Benefit Requirements
- Informal Dispute Resolution
- Assistance With Spanish Speaking Workers
- Site Visits for Hands-on Assistance

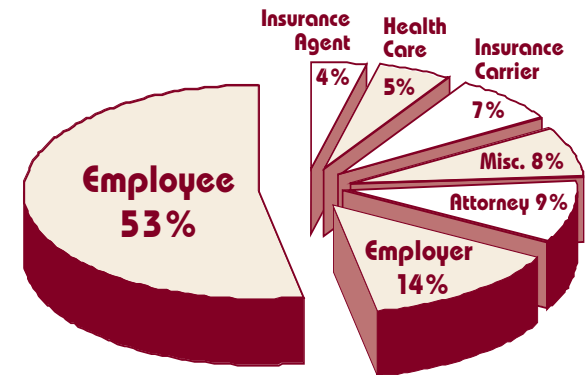
OTHER ASSISTANCE PROVIDED

- Look up Insurance Company Information
- Assist With Collection of Medical Bills
- Research for Prior Injuries

- Legislative Inquiries
- Informational Presentations
- Child Support Orders and Workers Compensation Benefits
- Referrals to Other Agencies

General Informational Contacts

The pie chart shows who is contacting the Ombudsman Section for general information.



CONTACT INFORMATION

Ombudsman assistance is available by telephone, e-mail or in person.

E-mail aramirez@dol.ks.gov

Call **785-296-2996**.

A toll free number, **800-332-0353**, is also available to assist parties in reaching an ombudsman.

Visit our Web site at
www.dol.ks.gov